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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/614,993	07/12/2000	Fred Boyle McCormick	55085USA1A.002	3298

32692 7590 12/04/2003

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EXAMINER

QUARTERMAN, KEVIN J

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/614,993	Applicant(s) MCCORMICK ET AL.	
	Examiner Kevin Quarterman	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 38-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 38-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 17 September 2003 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 38-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Ito (US 5652067).

4. Regarding independent claim 43, Figure 1 of Ito shows an article comprising an organic electronic device which comprises a substrate (1); a patterned adhesive (8) on the substrate; a multi-layer structure comprising one or more organic layers (3, 4) between an anode (2) and a cathode (5), wherein the adhesive surrounds the multi-layer structure; and a sealing layer (9) wherein the adhesive is equal to the circumference of one or both of the substrate or sealing layer.

5. Regarding claim 38, Ito discloses that the adhesive is selected from the group comprising hot melt adhesive, pressure sensitive adhesives, curable adhesives, and filled adhesives (col. 19, ln. 56-61).
6. Regarding claim 39, Ito discloses that the filled adhesive is selected from the group comprising electrically conductive adhesives, thermally conductive adhesives, and desiccating adhesives (col. 19, ln. 56-61).
7. Regarding claim 40, Figure 1 of Ito shows the circumference of the adhesive layer being greater than that of an electrode.
8. Regarding claim 41, Ito discloses that the article is an organic electroluminescent device.
9. Regarding claim 42, Ito discloses the substrate comprising glass, the anode comprising ITO, the hole transporting layer comprising 4,4'-bis(naphthalene-2-yl)-N,N'-diphenyl benzidine, the light emitting layer comprising coumarin-doped tris(8-hydroxyquinolinato)aluminum, the electron transporting layer comprising bis(10-hydroxy-benzo(h)quinolinato) beryllium, bis(2-(2-hydroxy-phenyl)-benzothiazolato) zinc, 3,4,5-triphenyl-1,2,4-triazole, or 2-(4-biphenyl)-5-(4-t-butylphenyl)-1,3,4-oxadiazole, and the cathode comprising lithium fluoride and aluminum (col. 7).
10. Regarding claim 44, Figure 4 of Ito further shows the organic layers comprising a hole-transporting layer (3), a light-emitting layer (4), and an electron-transporting layer (12).

Response to Arguments

11. Applicant's arguments filed 17 September 2003 have been fully considered but they are not persuasive.

12. In response to applicant's argument that the adhesive in Ito both surrounds *and* covers the multi-layer structure while the adhesive of the instant application only surrounds the multi-layer structure, it is noted that Ito discloses the adhesive surrounding the multi-layer structure as claimed in the instant application. Applicant's claims do not exclude the adhesive covering the multi-layer structure.

13. The Examiner notes that applicant has amended independent claim 43 to recite the adhesive being *patterned*, as defined on page 9 of the specification. After further review, the Examiner concludes that the adhesive of Ito is also shown in the figures as a patterned structure. Claims in an application are given their broadest reasonable interpretation.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Quarterman whose telephone number is (703) 308-6546. The examiner can normally be reached on M-F (8-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (703) 305-4794. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Joseph Williams
Joseph Williams

for

Kevin Quarterman
Examiner
Art Unit 2879

Nimesh Patel
Supervisory Patent Examiner
Art Unit 2879

kq *KQ*
November 30, 2003